

REMARKS

By the foregoing amendment, claims 1, 7, 9, and 10 have been amended and new claim 11-16 added. No new matter has been added. Thus, claims 1-16 are currently pending in the application.

In the Office Action mailed February 27, 2003, the Examiner rejected Claims 1-10 under 35 USC § 102(b) as being anticipated by newly cited U.S. Patent No. 6,175,632 to Marx (although the Detailed Action at Page 2, paragraph 2 indicates, apparently erroneously, that claims 1-8 are rejected, Applicants have assumed that, since the Examiner rejected all of the claims and addressed rejection of claims 9 and 10 specifically in the Detailed Action, that the Examiner intended to reject claims 1-10). Applicants first note that claims 1, 7, 9, and 10 have been amended. To the extent that the rejection remains applicable to the claims currently pending, Applicants respectfully traverse the rejection, as follows.

Applicants submit that Marx does not describe or suggest at least the limitation of a magnification designating means capable of designating a plurality of different magnification increments, said different magnification increments being at least one of $1/n$ and n , wherein n is an integer, means capable of automatically detecting beats per minute of the input audio signal or a beat period of the input audio signal, changing said beats per minute or said beat period by applying to the detected beats per minute or detected beat period a

magnification increment designated by the magnification designating means, and changing the tempo of the input audio signal in accordance with the changed beats per minute or the changed beat period, as claimed in claim 1, as amended.

For at least this reason, Applicants submit that claim 1, as amended, is allowable over the cited prior art. As claim 1, is allowable, Applicants submit that claims 2-6, 8-9, and 11-13, which depend from allowable claim 1, are likewise allowable over the cited prior art.

Also, similarly to as discussed above with regard to claim 1, Applicants submit that claim 7, as amended, is allowable over the cited prior art at least because the cited prior art does not disclose or suggest at least the limitation of a magnification designating device which designates a plurality of different magnification increments, said different magnification increments being at least one of $1/n$ and n , wherein n is an integer, and a device which automatically detects beats per minute of the input audio signal or a beat period of the input audio signal, changes the beats per minute or beat period by applying to the detected beats per minute or the detected beat period a magnification increment designated by the magnification designating device, and changes the tempo of the input audio signal in accordance with the changed beats per minute or the changed beat period, as claimed in claim 7, as amended.

As claim 7 is allowable, Applicants submit that claims 10 and 14-16, which depend from allowable claim 7, are likewise allowable over the cited prior art.

For all of the above reasons, it is respectfully submitted that the claims now pending patentability distinguish the present invention from the cited art. Accordingly,

reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited.

Should there be any questions, the Examiner is requested to contact the undersigned representative at the below listed number.

The Commissioner is hereby authorized to charge payment for any additional fees which may be required with respect to this paper to Counsel's Deposit Account 01-2300.

Respectfully submitted,

Arent Fox Kintner Plotkin & Kahn


Wilburn L. Chesser
Attorney for Applicants
Registration No. 41,668
Ref. 41,838

Customer No. 004372
1050 Connecticut Avenue, N.W., Suite 400
Washington, D.C. 20036-5339
Tel: (202) 857-6000
Fax: (202) 638-4810

WLC:klf
(#180466v1)
Enclosures: Marked-Up Version of Amended Claims

MARKED-UP COPY OF THE AMENDED CLAIMS

1. (Currently Amended) An audio signal processing apparatus capable of changing the tempo of an input audio signal, said apparatus comprising:

 magnification designating means capable of designating a plurality of different [magnifications] magnification increments, said different [magnifications] magnification increments being at least one of $1/n$ and n , wherein n is an integer;

 means capable of automatically detecting beats per minute of the input audio signal or a beat period of the input audio signal, changing said beats per minute or said beat period by [computing] applying to the detected beats per minute or the detected beat period [beat period by computing the detected beats per minute or the detected beat period with] a magnification increment designated by the magnification designating means, and changing the tempo of the input audio signal in accordance with the changed beats per minute or the changed beat period.

7. (Currently Amended) An audio signal processing apparatus which changes the tempo of an input audio signal, said apparatus comprising:

 a magnification designating device which designates a plurality of different [magnifications] magnification increments, said different [magnifications] magnification increments being at least one of $1/n$ and n , wherein n is an integer;

 a device which automatically detects beats per minute of the input audio signal or a beat period of the input audio signal, changes said beats per minute

or said beat period by [computing] applying to the detected beats per minute or the detected beat period [with] a magnification increment designated by the magnification designating device, and changes the tempo of the input audio signal in accordance with the changed beats per minute or the changed beat period.

9. (Currently Amended) An audio signal as recited in claim [1] 11, wherein said plurality of different [magnifications include] magnification increments include [designations of] 1/4, 2, 3/4, 1/1, 2/1, and 4/1.

10. (Currently Amended) An audio signal as recited in claim [7] 14, wherein said plurality of different [magnifications include] magnification increments include [designations of] 1/4, 2, 3/4, 1/1, 2/1, and 4/1.